

Article 1: Base Zones

Division 5: Commercial Base Zones

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0501 Purpose of Commercial Zones

The purpose of the commercial zones is to provide for the employment, shopping, services, recreation, and lodging needs of the residents of and visitors to the City. The intent of the commercial zones is to provide distinct regulations for size, intensity, and design to reflect the variety of the desired *development* patterns within San Diego's communities.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0502 Purpose of the CN (Commercial--Neighborhood) Zones

- (a) The purpose of the CN zones is to provide residential areas with access to a limited number of convenient retail and personal service uses. The CN zones are intended to provide areas for smaller scale, lower intensity *developments* that are consistent with the character of the surrounding residential areas. The zones in this category may include residential *development*. Property within the CN zones will be primarily located along local and selected collector *streets*.
- (b) The CN zones are differentiated based on the permitted lot size and pedestrian orientation as follows:
- CN-1-1 allows *development* of a limited size with a pedestrian orientation
 - CN-1-2 allows *development* with an auto orientation
 - CN-1-3 allows *development* with a pedestrian orientation

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0503 Purpose of the CR (Commercial--Regional) Zones

- (a) The purpose of the CR zones is to provide areas for a broad mix of business/professional office, commercial service, retail, wholesale, and limited manufacturing uses. The CR zones are intended to accommodate large-scale, high intensity *developments*. Property within these zones will be primarily located along major *streets*, primary arterials, and major public transportation lines.

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- (b) The CR zones are designed for auto-oriented *development* and are differentiated based on the uses allowed as follows:
- CR-1-1 allows a mix of regional serving commercial uses and residential uses, with an auto orientation
 - CR-2-1 allows regional serving commercial and limited industrial uses with an auto orientation but no residential use.
- (Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0504 Purpose of the CO (Commercial--Office) Zones

- (a) The purpose of the CO zones is to provide areas for employment uses with limited, complementary retail uses and medium to high *density* residential *development*. The CO zones are intended to apply in larger activity centers or in specialized areas where a full range of commercial activities is not desirable.
- (b) The CO zones are differentiated based on the uses allowed as follows:
- CO-1-1 allows a mix of office and residential uses with a neighborhood scale and orientation
 - CO-1-2 allows a mix of office and residential uses that serve as an employment center
- (Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0505 Purpose of the CV (Commercial--Visitor) Zones

- (a) The purpose of the CV zones is to provide areas for establishments catering to the lodging, dining, and recreational needs of both tourists and the local population. The CV zones are intended for areas located near employment centers and areas with recreational resources or other visitor attractions.
- (b) The CV zones are differentiated based on *development* size and orientation as follows:
- CV-1-1 allows a mix of large-scale, visitor-serving uses and residential uses
 - CV-1-2 allows a mix of visitor-serving uses and residential uses with a pedestrian orientation
- (Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0506 Purpose of the CP (Commercial--Parking) Zone

The purpose of the CP zone is to provide off-street parking areas for passenger automobiles. The CP zone is intended to be applied in conjunction with established commercial areas to provide needed or required off-street parking.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0507 Purpose of the CC (Commercial--Community) Zones

- (a) The purpose of the CC zones is to accommodate community-serving commercial services, retail uses, and limited industrial uses of moderate intensity and small to medium scale. The CC zones are intended to provide for a range of *development* patterns from pedestrian-friendly commercial *streets* to shopping centers and auto-oriented strip commercial *streets*. Some of the CC zones may include residential *development*. Property within the CC zones will be primarily located along collector *streets*, major *streets*, and public transportation lines.
- (b) The CC zones are differentiated based on the uses allowed and regulations as follows:
- (1) The following zones allow a mix of community-serving commercial uses and residential uses:
- CC-1-1 is intended to accommodate *development* with strip commercial characteristics
 - CC-1-2 is intended to accommodate *development* with high intensity, strip commercial characteristics
 - CC-1-3 is intended to accommodate *development* with an auto orientation
- (2) The following zones allow community-serving uses with no residential uses:
- CC-2-1 is intended to accommodate *development* with strip commercial characteristics
 - CC-2-2 is intended to accommodate *development* with high intensity, strip commercial characteristics
 - CC-2-3 is intended to accommodate *development* with an auto orientation

- (3) The following zones allow a mix of pedestrian-oriented, community-serving commercial uses and residential uses:
- CC-3-4 is intended to accommodate *development* with a pedestrian orientation
 - CC-3-5 is intended to accommodate *development* with a high intensity, pedestrian orientation
- (4) The following zones allow heavy commercial uses and residential uses:
- CC-4-1 is intended to accommodate *development* with strip commercial characteristics
 - CC-4-2 is intended to accommodate *development* with high intensity, strip commercial characteristics
 - CC-4-3 is intended to accommodate *development* with an auto orientation
 - CC-4-4 is intended to accommodate *development* with a pedestrian orientation
 - CC-4-5 is intended to accommodate *development* with a high intensity, pedestrian orientation
- (5) The following zones allow a mix of heavy commercial and limited industrial uses and residential uses:
- CC-5-1 is intended to accommodate *development* with strip commercial characteristics
 - CC-5-2 is intended to accommodate *development* with high intensity, strip commercial characteristics
 - CC-5-3 is intended to accommodate *development* with an auto orientation
 - CC-5-4 is intended to accommodate *development* with a pedestrian orientation
 - CC-5-5 is intended to accommodate *development* with a high intensity, pedestrian orientation

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0515 Where Commercial Zones Apply

On the effective date of Ordinance O-18692, all commercial zones that were established in Municipal Code Chapter 10, Article 1, Division 4 shall be amended and replaced with the base zones established in this division, as shown in Table 131-05A.

Table 131-05A
Commercial Zone Applicability

Previous Chapter 10 Commercial Zone Replaced with New Commercial Zone Established by this Division	
Commercial Zone that Existed on December 31 1999.	Applicable Zone of this Division
CN	CN-1-2
CA	CC-1-3
CA-RR	CC-2-3
CC	CC-3-5
CO	CO-1-2
CR	CV-1-1
CV	CV-1-2
C, C (PCOZ)	CC-4-5
C-1	CC-4-2
C-1 (PCOZ)	CC-4-4
CBD	CR-1-1
CP	CP-1-1
No Existing Zone	CN-1-1, CN-1-3
No Existing Zone	CC-1-1, CC-1-2,
No Existing Zone	CC-2-1, CC-2-2
No Existing Zone	CC-3-4
No Existing Zone	CC-4-1, CC-4-3
No Existing Zone	CC-5-1, CC-5-2, CC-5-3, CC-5-4 CC-5-5
No Existing Zone	CR-2-1
No Existing Zone	CO-1-1

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0520 Use Regulations of Commercial Zones

The regulations of Section 131.0522 apply in the commercial zones unless otherwise specifically provided by footnotes indicated in Table 131-05B. The uses permitted in any zone may be further limited if *environmentally sensitive lands* are present, pursuant to Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations).

- (a) Within the commercial zones, no *structure* or improvement, or portion thereof, shall be constructed, established, or altered, nor shall any *premises* be

used or maintained except for one or more of the purposes or activities listed in Table 131-05B. It is unlawful to establish, maintain, or use any *premises* for any purpose or activity not listed in this section or Section 131.0522.

- (b) All uses or activities permitted in the commercial zones shall be conducted entirely within an enclosed building unless the use or activity is traditionally conducted outdoors.
- (c) *Accessory uses* in the commercial zones may be permitted in accordance with Section 131.0125.
- (d) Temporary uses may be permitted in the commercial zones for a limited period of time with a Temporary Use Permit in accordance with Chapter 12, Article 3, Division 4.
- (e) For any use that cannot be readily classified, the City Manager shall determine the appropriate use category and use subcategory pursuant to Section 131.0110.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0522 Use Regulations Table of Commercial Zones

The uses allowed in the commercial zones are shown in Table 131-05B.

Legend for Table 131-05B

Symbol in Table 131-05B	Description of Symbol
P	Use or use category is permitted. Regulations pertaining to a specific use may be referenced.
L	Use is permitted with limitations, which may include location limitations or the requirement for a use or <i>development permit</i> . Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
N	Neighborhood Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
C	Conditional Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
-	Use or use category is not permitted.

Table 131-05B
Use Regulations Table for Commercial Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator			Zones											
	1st & 2nd ➤ 3rd ➤ 4th ➤			CN ⁽¹⁾ -			CR-		CO-		CV-		CP-		
				1-			1-	2-	1-		1-		1-		
				1	2	3	1	1	1	2	1	2	1		
Open Space															
Active Recreation				-			-	-	-		-		-		
Passive Recreation				-			-	-	-		-		-		
Natural Resources Preservation				-			-	-	-		-		-		
Park Maintenance Facilities				-			-	-	-		-		-		
Agriculture															
Agricultural Processing				-			-	-	-		-		-		
Aquaculture Facilities				-			-	-	-		-		-		
Dairies				-			-	-	-		-		-		
Horticulture Nurseries & Greenhouses				-			-	-	-		-		-		
Raising & Harvesting of Crops				-			-	-	-		-		-		
Raising, Maintaining & Keeping of Animals				-			-	-	-		-		-		
Separately Regulated Agriculture Uses															
Agricultural Equipment Repair Shops				-			P	P	-		-		-		
Commercial Stables				-			-	-	-		L		-		
Community Gardens				-			-	-	-		-		-		
Equestrian Show & Exhibition Facilities				-			-	-	-		C		-		
Open Air Markets for the Sale of Agriculture-related Products & Flowers				-			-	-	-		-		-		
Residential															
Group Living Accommodations				-			-	-	-		-		-		
Mobilehome Parks				-			-	-	-		-		-		
Multiple Dwelling Units				P ⁽²⁾			P ⁽²⁾	-	P ⁽²⁾		P ⁽²⁾		-		
Single Dwelling Units				-			-	-	-		-		-		
Separately Regulated Residential Uses															
Boarder & Lodger Accommodations				L ⁽²⁾			L	-	L		L ⁽²⁾		-		
Companion Units				-			-	-	-		-		-		
Employee Housing:															
6 or Fewer Employees				-			-	-	-		-		-		

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones									
	1st & 2nd ► 3rd ► 4th ►		CN ⁽¹⁾ -			CR-		CO-		CV-		CP-
			1-			1-	2-	1-		1-		1-
			1	2	3	1	1	1	2	1	2	1
12 or Fewer Employees			-			-	-	-		-		-
Greater than 12 Employees			-			-	-	-		-		-
Fraternities, Sororities and Student Dormitories			C ⁽²⁾			C	-	C		C ⁽²⁾		-
Garage, Yard, & Estate Sales			-			-	-	-		-		-
Guest Quarter			-			-	-	-		-		-
Home Occupations			L			L	-	L		L		-
Housing for Senior Citizens			C ⁽²⁾			C	-	C		C ⁽²⁾		-
Live/Work Quarters			-			L	-	-		-		-
Residential Care Facilities:												
6 or Fewer Persons			P ⁽²⁾			P	-	P		P ⁽²⁾		-
7 or More Persons			C ⁽²⁾			C	-	C		C ⁽²⁾		-
Transitional Housing:												
6 or Fewer Persons			P ⁽²⁾			P	-	P		P ⁽²⁾		-
7 or More Persons			C ⁽²⁾			C	-	C		C ⁽²⁾		-
Watchkeeper Quarters			-			-	L	-		-		-
Institutional												
Separately Regulated Institutional Uses												
Airports			-			C	C	C		C ⁽¹⁰⁾		-
Botanical Gardens & Arboretums			-			P	P	C		P		-
Cemeteries, Mausoleums, Crematories			-			C	C	C		C ⁽¹⁰⁾		-
Churches & Places of Religious Assembly			C ⁽¹⁰⁾			C	C	C		C ⁽¹⁰⁾		-
Communication Antennas:												
Minor Telecommunication Facility			L			L	L	L		L		L
Major Telecommunication Facility			C ⁽¹⁰⁾			C	C	C		C ⁽¹⁰⁾		C
Satellite Antennas			L			L	L	L		L		L
Correctional Placement Centers			-			C	C	C		C ⁽¹⁰⁾		-
Educational Facilities:												
Kindergarten through Grade 12			C ⁽¹⁰⁾			C	C	C		C ⁽¹⁰⁾		-
Colleges / Universities			-			C	C	C		C ⁽¹⁰⁾		-
Vocational / Trade School			-			P	P	P		-		-
Energy Generation & Distribution Facilities			C ⁽¹⁰⁾			P	C	P		P ⁽¹⁰⁾		-

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	1st & 2nd ➤ 3rd ➤ 4th ➤			CN ⁽¹⁾ -			CR-		CO-		CV-		CP-		
				1-			1-	2-	1-		1-		1-		
				1	2	3	1	1	1	2	1	2	1		
Exhibit Halls & Convention Facilities				-			P	P	C		P		-		
<i>Flood Control Facilities</i>				L			L	L	L		L		-		
<i>Historical Buildings</i> Used for Purposes Not Otherwise Allowed				C ⁽¹⁰⁾			C	C	C		C ⁽¹⁰⁾		-		
Homeless Facilities:															
Congregate Meal Facilities				C ⁽¹⁰⁾			C	-	C		C ⁽¹⁰⁾		-		
Emergency Shelters				C ⁽¹⁰⁾			C	-	C		C ⁽¹⁰⁾		-		
Homeless Day Centers				C ⁽¹⁰⁾			C	-	C		C ⁽¹⁰⁾		-		
Hospitals, Intermediate Care Facilities & Nursing Facilities				-			P	P	C		P ⁽¹⁰⁾		-		
Interpretive Centers				-			-	-	-		-		-		
Museums				-			P	P	C		P		-		
Major Transmission, Relay, or Communications Switching Stations				-			C	C	C		C ⁽¹⁰⁾		-		
<i>Social Service Institutions</i>				-			C	C	C		C ⁽¹⁰⁾		-		
Retail Sales															
Building Supplies & Equipment				P			P	P	-		-		-		
Food, Beverages and Groceries				P			P	P	P		P		-		
Consumer Goods, Furniture, Appliances, Equipment				P			P	P	P ⁽³⁾		-		-		
Pets & Pet Supplies				P			P	P	-		-		-		
Sundries, Pharmaceutical, & Convenience Sales				P			P	P	P		P		-		
Wearing Apparel & Accessories				P			P	P	-		P		-		
Separately Regulated Retail Sales Uses															
Agriculture Related Supplies & Equipment				-			P	P	-		-		-		
Alcoholic Beverage Outlets				L			L	L	L		L		-		
Plant Nurseries				P			P	P	-		-		-		
Swap Meets & Other Large Outdoor Retail Facilities				-			C	C	-		C ⁽¹⁰⁾		-		
Commercial Services															
Building Services				-			P	P	P ⁽⁶⁾		-		-		
Business Support				P			P	P	P ⁽⁷⁾		-		-		
Eating & Drinking Establishments				P ⁽⁴⁾			P	P	P ⁽⁵⁾		P		-		
Financial Institutions				P			P	P	P		-		-		
Funeral & Mortuary Services				-			P	P	-		-		-		
Maintenance & Repair				P			P	P	P ⁽⁶⁾		-		-		

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones									
	1st & 2nd ➤ 3rd ➤ 4th ➤	CN ⁽¹⁾ -			CR-		CO-		CV-		CP-	
		1-			1-	2-	1-		1-		1-	
		1	2	3	1	1	1	2	1	2	1	
Off-site Services				-		P	P	-		-		-
Personal Services				P		P	P	-		P		-
Assembly & Entertainment				-		P	P	-		P		-
Radio & Television Studios				-		P	P	-		-		-
Visitor Accommodations				-		P	P	-		P		-
Separately Regulated Commercial Services Uses												
Adult Entertainment Establishments:												
Adult Book Store				L		L	L	-		-		-
Adult Cabaret				-		L	L	-		L		-
Adult Drive-In Theater				-		L	L	-		L		-
Adult Mini-Motion Picture Theater				-		L	L	-		L		-
Adult Model Studio				L		L	L	-		L		-
Adult <i>Motel</i>				-		L	L	-		L		-
Adult Motion Picture Theater				-		L	L	-		L		-
Adult Peep Show Theater				-		L	L	-		L		-
Adult Theater				-		L	L	-		L		-
Body Painting Studio				L		L	L	-		L		-
Massage Establishment				L		L	L	-		-		-
Sexual Encounter Establishment				L		L	L	-		L		-
Bed & Breakfast Establishments:												
1-2 Guest Rooms				-		P	P	-		P		-
3-5 Guest Rooms				-		P	P	-		P		-
6+ Guest Rooms				-		P	P	-		P		-
Boarding Kennels				-		C	C	C		C ⁽¹⁰⁾		-
Camping Parks				-		C	C	C		C		-
Child Care Facilities:												
Child Care Centers				L		L	-	L		L ⁽¹⁰⁾		-
Large Family Day Care Homes				L		L	-	L		L ⁽¹⁰⁾		-
Small Family Day Care Homes				P		P	-	P		P		-
Eating and Drinking Establishments Abutting Residentially Zoned Property				L		L	L	L		L		-
Fairgrounds				-		C	C	-		C		-

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones									
	1st & 2nd ➤		CN ⁽¹⁾ -			CR-		CO-		CV-		CP-
	3rd ➤		1-			1-	2-	1-		1-		1-
	1	2	3	1	1	1	2	1	2	1	2	1
Golf Courses, Driving Ranges, and Pitch & Putt Courses	-			C	C			C		C		-
Helicopter Landing Facilities	-			C	C			C		C ⁽¹⁰⁾		-
Instructional Studios	P			P	P			C		C ⁽²⁾		-
Massage Establishments, Specialized Practice	L			L	L			-		-		-
Nightclubs & Bars over 5,000 square feet in size	-			C	C			C		C		-
Outpatient Medical Clinics	N			N	N			N		N ⁽¹⁰⁾		-
Parking Facilities as a <i>Primary Use</i> :												
Permanent Parking Facilities	-			P	P			C		C		P
Temporary Parking Facilities	-			N	N			C		C		N
Private Clubs, Lodges and Fraternal Organizations	C			C	P			P		P		-
Privately Operated, Outdoor Recreation Facilities over 40,000 Square Feet in Size ⁽⁹⁾	-			C	C			-		C		-
Pushcarts:												
Pushcarts on Private Property	L			L	L			L		L		-
Pushcarts in Public Right of Way	N			N	N			N		N		-
Recycling Facilities:												
Large Collection Facility	N			N	N			N		N ⁽¹⁰⁾		-
Small Collection Facility	L			L	L			L		L ⁽¹⁰⁾		-
Large Construction & Demolition Debris <i>Recycling Facility</i>	-			-	-			-		-		-
Small Construction & Demolition Debris <i>Recycling Facility</i>	-			-	-			-		-		-
Drop-off Facility	L			L	L			L		L		-
Green Materials Composting Facility	-			-	-			-		-		-
Mixed Organic Composting Facility	-			-	-			-		-		-
Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic	-			-	-			-		-		-
Large Processing Facility Accepting All Types of Traffic	-			-	-			-		-		-
Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic	-			-	-			-		-		-
Small Processing Facility Accepting All Types of Traffic	-			-	-			-		-		-
Reverse Vending Machines	L			L	L			L		L		-
Tire Processing Facility	-			-	-			-		-		-
Sidewalk Cafes	N			N	N			N		N		-
Sports Arenas & Stadiums	-			C	C			C		C		-

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator			Zones									
	1st & 2nd ➤ 3rd ➤ 4th ➤			CN ⁽¹⁾ -			CR-		CO-		CV-		CP-
				1-			1-	2-	1-		1-		1-
				1	2	3	1	1	1	2	1	2	1
Theaters that are outdoor or over 5,000 square feet in size				-			C	C	C		C		-
Veterinary Clinics & Animal Hospitals				-			C	C	C		-		-
Zoological Parks				-			-	-	-		-		-
Offices													
Business & Professional				P ⁽⁷⁾			P	P	P		-		-
Government				P			P	P	P		-		-
Medical, Dental, & Health Practitioner				P			P	P	P		P ⁽¹⁰⁾		-
Regional & Corporate Headquarters				P			P	P	P		-		-
Separately Regulated Office Uses													
Real Estate Sales Offices & Model Homes				L			L	-	L		L		
Sex Offender Treatment & Counseling				L			L	L	L		L ⁽¹⁰⁾		-
Vehicle & Vehicular Equipment Sales & Service													
Commercial Vehicle Repair & Maintenance				-			P	P	-		-		-
Commercial Vehicle Sales & Rentals				-			P	P	-		-		-
Personal Vehicle Repair & Maintenance				-			P	P	-		-		-
Personal Vehicle Sales & Rentals				-			P	P	-		-		-
Vehicle Equipment & Supplies Sales & Rentals				-			P	P	-		-		-
Separately Regulated Vehicle & Vehicular Equipment Sales & Service Uses													
Automobile Service Stations				-			C	C	C		C		-
Outdoor Storage & Display of New, Unregistered Motor Vehicles as a <i>Primary Use</i>				-			C	C	-		-		-
Wholesale, Distribution, Storage													
Equipment & Materials Storage Yards				-			-	P	-		-		-
Moving & Storage Facilities				-			-	P	-		-		-
Warehouses				-			-	P ⁽⁸⁾	-		-		-
Wholesale Distribution				-			-	P ⁽⁸⁾	-		-		-
Separately Regulated Wholesale, Distribution, and Storage Uses													
Impound Storage Yards				-			-	C	-		-		-
Junk Yards				-			-	-	-		-		-
Temporary Construction Storage Yards Located off-site				L			L	L	L		L		-
Industrial													
Heavy Manufacturing				-			-	-	-		-		-

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones									
	1st & 2nd ➤		CN ⁽¹⁾ -			CR-		CO-		CV-		CP-
	3rd ➤		1-			1-	2-	1-		1-		1-
	4th ➤		1	2	3	1	1	1	2	1	2	1
Light Manufacturing			-	-	-	-	P ⁽⁸⁾	-	-	-	-	-
Marine Industry			-	-	-	-	-	-	-	-	-	-
Research & Development			-	-	-	P	P	P	-	-	-	-
Trucking & Transportation Terminals			-	-	-	P	P	-	-	-	-	-
Separately Regulated Industrial Uses												
<i>Hazardous Waste</i> Research Facility			-	-	-	-	-	-	-	-	-	-
<i>Hazardous Waste</i> Treatment Facility			-	-	-	-	-	-	-	-	-	-
Marine Related Uses Within the Coastal Overlay Zone			-	-	-	C	C	C	C	C	-	-
Mining and Extractive Industries			-	-	-	-	-	-	-	-	-	-
Newspaper Publishing Plants			-	-	-	C	C	C	C	C ⁽¹⁰⁾	-	-
Processing & Packaging of Plant Products & Animal By-products Grown Off-premises			-	-	-	-	-	-	-	-	-	-
Very Heavy Industrial Uses			-	-	-	-	-	-	-	-	-	-
Wrecking & Dismantling of Motor Vehicles			-	-	-	-	-	-	-	-	-	-
Signs												
Allowable Signs			P	P	P	P	P	P	P	P	P	P
Separately Regulated Signs Uses												
Community Identification Signs			-	-	-	-	-	-	-	-	-	-
Reallocation of Sign Area Allowance			N	N	N	N	N	N	N	N	N	N
Revolving Projecting Signs			N	N	N	N	N	N	N	N	N	N
Signs with Automatic Changing Copy			N	N	N	N	N	N	N	N	N	N
Theater Marquees			-	-	-	N	N	-	-	N	-	-

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones																			
	1st & 2nd ➤		CC-																			
	3rd ➤		1-		2-		3-		4-		5-											
	4th ➤		1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5		
Open Space																						

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones																		
	1st & 2nd ►	CC-																			
		3rd ►	1-			2-			3-		4-					5-					
			4th ►	1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Active Recreation			-			-			-			-			-			-			
Passive Recreation			-			-			-			-			-			-			
Natural Resources Preservation			-			-			-			-			-			-			
Park Maintenance Facilities			-			-			-			-			-			-			
Agriculture																					
Agricultural Processing			-			-			-			-			-			-			
Aquaculture Facilities			-			-			-			-			-			-			
Dairies			-			-			-			-			-			-			
Horticulture Nurseries & Greenhouses			-			-			-			-			-			-			
Raising & Harvesting of Crops			-			-			-			-			-			-			
Raising, Maintaining & Keeping of Animals			-			-			-			-			-			-			
Separately Regulated Agriculture Uses																					
Agricultural Equipment Repair Shops			P			P			-			P			P			P			
Commercial Stables			-			-			-			-			-			-			
Community Gardens			-			-			-			-			-			-			
Equestrian Show & Exhibition Facilities			-			-			-			-			-			-			
Open Air Markets for the Sale of Agriculture-Related Products & Flowers			-			-			-			-			-			-			
Residential																					
Group Living Accommodations			-			-			-			-			-			-			
Mobilehome Parks			-			-			-			-			-			-			
Multiple Dwelling Units			P ⁽²⁾			-			P ⁽²⁾			P ⁽²⁾			P ⁽²⁾			P ⁽²⁾			
Single Dwelling Units			-			-			-			-			-			-			
Separately Regulated Residential Uses																					
Boarder & Lodger Accommodations			L			-			L			L			L			L			
Companion Units			-			-			-			-			-			-			
Employee Housing:																					
6 or Fewer Employees			-			-			-			-			-			-			
12 or Fewer Employees			-			-			-			-			-			-			
Greater than 12 Employees			-			-			-			-			-			-			
Fraternities, Sororities and Student Dormitories			C			-			C			C			C			C			
Garage, Yard, & Estate Sales			-			-			-			-			-			-			

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones																		
	1st & 2nd ►	CC-																			
		3rd ►	1-			2-			3-			4-					5-				
			4th ►	1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Guest Quarters																					
Home Occupations																					
Housing for Senior Citizens																					
Live/Work Quarters																					
Residential Care Facilities:																					
6 or Fewer Persons																					
7 or More Persons																					
Transitional Housing:																					
6 or Fewer Persons																					
7 or More Persons																					
Watchkeeper Quarters																					
Institutional																					
Separately Regulated Institutional Uses																					
Airports																					
Botanical Gardens & Arboretums																					
Cemeteries, Mausoleums, Crematories																					
Churches & Places of Religious Assembly																					
Communication Antennas:																					
Minor Telecommunication Facility																					
Major Telecommunication Facility																					
Satellite Antennas																					
Correctional Placement Centers																					
Educational Facilities:																					
Kindergarten through Grade 12																					
Colleges / Universities																					
Vocational / Trade School																					
Energy Generation & Distribution Facilities																					
Exhibit Halls & Convention Facilities																					
Flood Control Facilities																					
Historical Buildings Used for Purposes Not Otherwise Allowed																					
Homeless Facilities:																					

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones																	
	1st & 2nd ►	CC-																		
		1-			2-			3-		4-					5-					
		1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	
Congregate Meal Facilities			C			-			C		C					C				
Emergency Shelters			C			-			C		C					C				
Homeless Day Centers			C			-			C		C					C				
Hospitals, Intermediate Care Facilities & Nursing Facilities			C			C			C		C					C				
Interpretive Centers			-			-			-		-					-				
Museums			C			C			C		C					C				
Major Transmission, Relay, or Communications Switching Stations			C			C			C		C					C				
Social Service Institutions			C			C			C		C					C				
Retail Sales																				
Building Supplies & Equipment			P			P			-		P					P				
Food, Beverages and Groceries			P			P			P		P					P				
Consumer Goods, Furniture, Appliances, Equipment			P			P			P		P					P				
Pets & Pet Supplies			P			P			P		P					P				
Sundries, Pharmaceutical, & Convenience Sales			P			P			P		P					P				
Wearing Apparel & Accessories			P			P			P		P					P				
Separately Regulated Retail Sales Uses																				
Agriculture Related Supplies & Equipment			-			-			-		P					P				
Alcoholic Beverage Outlets			L			L			L		L					L				
Plant Nurseries			P			P			P		P					P				
Swap Meets & Other Large Outdoor Retail Facilities			-			-			-		-					C				
Commercial Services																				
Building Services			-			-			-		P					P				
Business Support			P			P			P		P					P				
Eating & Drinking Establishments			P			P			P		P					P				
Financial Institutions			P			P			P		P					P				
Funeral & Mortuary Services			P			P			P		P					P				
Maintenance & Repair			P			P			P		P					P				
Off-site Services			-			-			-		P					P				
Personal Services			P			P			P		P					P				
Assembly & Entertainment			P			P			P		P					P				
Radio & Television Studios			P			P			P		P					P				

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones																			
	1st & 2nd ► 3rd ► 4th ►	CC-																				
		1-			2-			3-			4-					5-						
		1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5			
		Visitor Accommodations		P			P			P			P					P				
Separately Regulated Commercial Services Uses																						
Adult Entertainment Establishments:																						
Adult Book Store		L			L			L			L					L						
Adult Cabaret		L			L			L			L					L						
Adult Drive-In Theater		L			L			L			L					L						
Adult Mini-Motion Picture Theater		L			L			L			L					L						
Adult Model Studio		L			L			L			L					L						
Adult Motel		L			L			L			L					L						
Adult Motion Picture Theater		L			L			L			L					L						
Adult Peep Show Theater		L			L			L			L					L						
Adult Theater		L			L			L			L					L						
Body Painting Studio		L			L			L			L					L						
Massage Establishment		L			L			-			-					L						
Sexual Encounter Establishment		L			L			L			L					L						
Bed & Breakfast Establishments:																						
1-2 Guest Rooms		P			P			P			P					P						
3-5 Guest Rooms		P			P			P			P					P						
6+ Guest Rooms		P			P			P			P					P						
Boarding Kennels		C			C			C			C					C						
Camping Parks		C			C			C			C					C						
Child Care Facilities:																						
Child Care Centers		L			-			L			L					L						
Large Family Day Care Homes		L			-			L			L					L						
Small Family Day Care Homes		P			-			P			P					P						
Eating and Drinking Establishments Abutting Residentially Zoned Property		L			L			L			L					L						
Fairgrounds		C			C			-			C					C						
Golf Courses, Driving Ranges, and Pitch & Putt Courses		C			C			C			C					C						
Helicopter Landing Facilities		C			C			C			C					C						
Instructional Studios		C			C			C			C					C						
Massage Establishments, Specialized Practice		L			L			-			-					L						

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones																			
	1st & 2nd ► 3rd ► 4th ►	CC-																				
		1-			2-			3-			4-					5-						
		1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5			
		Nightclubs & Bars over 5,000 square feet in size		C			C			C			C					C				
Outpatient Medical Clinics		N			N			N			N					N						
Parking Facilities as a <i>Primary Use</i> :																						
Permanent Parking Facilities		P			C			P			P					P						
Temporary Parking Facilities		N			C			N			N					N						
Private Clubs, Lodges and Fraternal Organizations		P			C			P			P					P						
Privately Operated, Outdoor Recreation Facilities over 40,000 Square Feet in Size ⁽⁹⁾		C			C			-			C					C						
Pushcarts:																						
Pushcarts on Private Property		L			L			L			L					L						
Pushcarts in <i>public right-of-way</i>		N			N			N			N					N						
Recycling Facilities:																						
Large Collection Facility		N			N			N			N					N						
Small Collection Facility		L			L			L			L					L						
Large Construction & Demolition Debris <i>Recycling Facility</i>		-			-			-			-					-						
Small Construction & Demolition Debris <i>Recycling Facility</i>		-			-			-			-					-						
Drop-off Facility		L			L			L			L					L						
Green Materials Composting Facility		-			-			-			-					-						
Mixed Organic Composting Facility		-			-			-			-					-						
Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic		-			-			-			-					-						
Large Processing Facility Accepting All Types of Traffic		-			-			-			-					-						
Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic		-			-			-			C					C						
Small Processing Facility Accepting All Types of Traffic		-			-			-			C					C						
Reverse Vending Machines		L			L			L			L					L						
Tire Processing Facility		-			-			-			-					-						
Sidewalk Cafes		N			N			N			N					N						
Sports Arenas & Stadiums		C			C			C			C					C						
Theaters That Are Outdoor or over 5,000 Square Feet in Size		C			C			C			C					C						
Veterinary Clinics & Animal Hospitals		C			C			C			C					C						
Zoological Parks		-			-			-			-					-						
Offices																						

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones																	
	1st & 2nd ►		CC-																	
	3rd ►		1-		2-		3-		4-					5-						
	4th ►		1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5
Business & Professional			P		P		P		P					P						
Government			P		P		P		P					P						
Medical, Dental, & Health Practitioner			P		P		P		P					P						
Regional & Corporate Headquarters			P		P		P		P					P						
Separately Regulated Office Uses																				
Real Estate Sales Offices & Model Homes			L		-		L		L					L						
Sex Offender Treatment & Counseling			L		L		L		L					L						
Vehicle & Vehicular Equipment Sales & Service																				
Commercial Vehicle Repair & Maintenance			-		-		-		P					P						
Commercial Vehicle Sales & Rentals			-		-		-		P					P						
Personal Vehicle Repair & Maintenance			P		P		-		P					P						
Personal Vehicle Sales & Rentals			P		P		-		P					P						
Vehicle Equipment & Supplies Sales & Rentals			P		P		-		P					P						
Separately Regulated Vehicle & Vehicular Equipment Sales & Service Uses																				
Automobile Service Stations			C		C		C		C					C						
Outdoor Storage & Display of New, unregistered Motor Vehicles as a <i>primary use</i>			C		C		-		C					C						
Wholesale, Distribution, Storage																				
Equipment & Materials Storage Yards			-		-		-		-					-						
Moving & Storage Facilities			-		-		-		P					P						
Warehouses			-		-		-		P ⁽⁸⁾					P ⁽⁸⁾						
Wholesale Distribution			-		-		-		-					P ⁽⁸⁾						

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones																	
	1st & 2nd ►	CC-																		
		1-			2-			3-			4-					5-				
		1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5	
Separately Regulated Wholesale, Distribution, and Storage Uses																				
Impound Storage Yards			-			-			-			C					C			
Junk Yards			-			-			-			-					-			
Temporary Construction Storage Yards Located off-site			L			L			L			L					L			
Industrial																				
Heavy Manufacturing			-			-			-			-					-			
Light Manufacturing			-			-			-			-					P ⁽⁸⁾			
Marine Industry			-			-			-			-					-			
Research & Development			P			P			-			P					P			
Trucking & Transportation Terminals			-			-			-			-					-			
Separately Regulated Industrial Uses																				
Extractive Industries			-			-			-			-					-			
Hazardous Waste Research Facility			-			-			-			-					-			
Hazardous Waste Treatment Facility			-			-			-			-					-			
Marine Related Uses Within the Coastal Overlay Zone			C			C			C			C					C			
Newspaper Publishing Plants			C			C			C			C					P			
Processing & Packaging of Plant Products & Animal By-products Grown Off-premises			-			-			-			-					-			
Very Heavy Industrial Uses			-			-			-			-					-			
Wrecking & Dismantling of Motor Vehicles			-			-			-			-					-			
Signs																				
Allowable Signs			P			P			P			P					P			
Separately Regulated Signs Uses																				
Community Identification Signs			-			-			-			-					-			
Reallocation of Sign Area Allowance			N			N			N			N					N			
Revolving Projecting Signs			N			N			N			N					N			
Signs with Automatic Changing Copy			N			N			N			N					N			
Theater Marquees			N			N			N			N					N			

Footnotes to Table 131-05B

- 1 Uses shall not begin operating before 6:00 a.m. or continue operating later than 12:00 midnight in CN zones.
- 2 Residential use and residential parking are permitted only as part of a mixed-use (commercial/residential) project. Non-owner occupants must reside on the *premises* for a minimum of 7 consecutive calendar days. Within the Coastal Overlay Zone, residential uses and instructional studios are not permitted on the ground floor.
- 3 Only office furniture, appliances, and equipment establishments are permitted. The *gross floor area* occupied by these uses shall not exceed 2,500 square feet for each *premises*.
- 4 Drive-in and drive-through restaurants, live entertainment, and the sale of intoxicating beverages other than beer and wine are not permitted in the CN zones.
- 5 The sale of alcoholic beverages is not permitted as a *primary use*.
- 6 The *gross floor area* occupied by these uses shall not exceed 2,500 square feet for each *premises*.
- 7 Hiring halls are not permitted.
- 8 These activities shall be located solely within an enclosed building that does not exceed 7,500 square feet of *gross floor area*. Activities that would require a permit from the Hazardous Materials Management Division of the County of San Diego or from the San Diego Air Pollution Control District are not permitted.
- 9 The 40,000 square feet includes all indoor and outdoor areas that are devoted to the recreational use; it does not include customer parking areas.
- 10 This use is not allowed within the Coastal Overlay Zone.

(Amended 6-12-2001 by O-18948 N.S.; effective 12-12-2001.)

§131.0530 Development Regulations of Commercial Zones

- (a) Within the commercial zones, no *structure* or improvement shall be constructed, established, or altered, nor shall any *premises* be used unless the *premises* complies with the regulations and standards in this division and with any applicable development regulations in Chapter 13, Article 2 (Overlay Zones) and Chapter 14 (General and Supplemental Regulations).
- (b) A Neighborhood Development Permit or Site Development Permit is required for the types of *development* identified in Table 143-03A.
- (c) The regulations in this division apply to all proposed *development* in the commercial base zones whether or not a permit or other approval is required except where specifically identified.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§131.0531 Development Regulations Tables of Commercial Zones

The following development regulations apply in each of the commercial zones as shown in Tables 131-05C, 131-05D, and 131-05E.

(a) CN Zones

Table 131-05C
Development Regulations of CN Zones

Development Regulations [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone designator	Zones		
	1st & 2nd »	CN-		
	3rd »	1-	1-	1-
	4th »	1	2	3
Max permitted residential density ⁽¹⁾		3,000	1,500	1,500
Supplemental residential regulations [See Section 131.0540]		applies	applies	applies
Lot area				
Min Lot Area (sf)		2,500	5,000	5,000
Max Lot Area (ac)		0.3	10	10
Lot dimensions				
Min Lot Width (ft)		25	50	50
Min <i>street frontage</i> (ft)		25	50	50
Min Lot Depth (ft)		100	--	--
Setback requirements				
Min Front <i>setback</i> (ft) Max Front <i>setback</i> (ft) [See Section 131.0543(a)(1)]		10 ⁻⁻⁽²⁾	-- --	10 ⁻⁻⁽²⁾
Min Side <i>setback</i> (ft) Optional Side <i>setback</i> (ft) [See Section 131.0543(b)]		10 0	10 0	10 0
Side <i>Setback</i> abutting residential [See Section 131.0543(c)]		applies	applies	applies
Min <i>Street Side setback</i> (ft) Max <i>Street Side setback</i> (ft) [See Section 131.0543(a)(1)]		10 ⁻⁻⁽²⁾	-- --	10 ⁻⁻⁽²⁾
Min Rear <i>setback</i> (ft) Optional Rear <i>setback</i> (ft) [See Section 131.0543(b)]		10 0	10 0	10 0
Rear <i>Setback</i> abutting residential [See Section 131.0543(c)]		applies	applies	applies
Max structure height (ft)		30	30	30
Max floor area ratio		1.0 ⁽³⁾	1.0 ⁽³⁾	1.0 ⁽³⁾

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Development Regulations [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone designator	Zones		
	1st & 2nd »	CN-		
	3rd »	1-	1-	1-
	4th »	1	2	3
<i>Floor Area Ratio</i> bonus for mixed use/ Minimum percentage of bonus required for residential use [See Section 131.0546(a)]		0.5/100	0.75/50	0.75/50
Pedestrian paths [See Section 131.0550]		applies	applies	applies
Transparency [See Section 131.0552]		applies	--	applies
Building articulation [See Section 131.0554]		applies	applies	applies

Footnotes for Table 131-05C

- ¹ One dwelling unit per specified minimum square footage of lot area as determined in accordance with Section 113.0222.
- ² See Section 131.0543(a)(2).
- ³ Within the Kearny Mesa Community Plan area, the maximum *floor area ratio* is 0.50 and the portion of the maximum allowed *gross floor area* that may be occupied by retail sales or eating and drinking establishments shall not exceed 70 percent.

(b) CR, CO, CV, and CP Zones

Table 131-05D
Development Regulations of CR, CO, CV, CP Zones

Development Regulations [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone Designator	Zones						
	1st & 2nd » 3rd » 4th »	CR-		CO-		CV-		CP-
		1-	2-	1-		1-		1-
		1		1	2	1	2	1
Max permitted residential density ⁽¹⁾		1,500		1,000	1,500	1,500	1,500	--
Supplemental residential regulations [See Section 131.0540]		applies		applies	applies	applies	applies	--
Lot area								
Min Lot Area (sf)		15,000		5,000	5,000	15,000	5,000	--
Max Lot Area (ac)		--		--	--	--	--	--
Lot dimensions								
Min Lot Width (ft)		100		50	50	100	50	--
Min street frontage (ft)		100		50	50	100	50	--

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Development Regulations [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone Designator	Zones						
	1st & 2nd » 3rd » 4th »	CR-		CO-		CV-		CP-
		1-	2-	1-		1-		1-
		1		1	2	1	2	1
Min Lot Depth (ft)		100		100	100	100	100	--
Setback requirements								
Min Front setback (ft)		10		10	10	10	--	10
Max Front setback (ft) [See Section 131.0543(a)(1)]		--		25 ⁽²⁾	--	--	10 ⁽²⁾	--
Min Side setback (ft)		10		10	10	10	10	10
Optional Side setback (ft)		--		0 ⁽³⁾	0 ⁽³⁾	--	0 ⁽³⁾	--
Side Setback abutting residential [See Section 131.0543(c)]		applies		applies	applies	applies	applies	applies
Min Street Side setback (ft)		10		10	10	--	10 ⁽²⁾	--
Max Street Side setback (ft) [See Section 131.0543(a)(1)]		--		25 ⁽²⁾	--	--	10 ⁽²⁾	--
Min Rear setback (ft)		10		10	10	10	10	10
Optional Rear setback (ft)		--		0 ⁽³⁾	0 ⁽³⁾	--	0 ⁽³⁾	0 ⁽³⁾
Rear Setback abutting residential [See Section 131.0543(c)]		applies		applies	applies	applies	applies	applies
Max structure height (ft)		60		45	60	60	45	30
Min lot coverage (%)		--		--	--	--	35	--
Max floor area ratio		1.0 ⁽⁴⁾		0.75 ⁽⁴⁾	1.5 ⁽⁴⁾	2.0 ⁽⁴⁾	2.0 ⁽⁴⁾	1.0 ⁽⁴⁾
Floor Area Ratio bonus for mixed use/ Minimum percentage of bonus required for residential use [See Section 131.0546(a)]		1.0/50		1.0 /100	1.5/50	--	--	--
Floor Area Ratio bonus for child care [See Section 131.0546(b)]		applies		--	applies	--	--	--
Pedestrian paths [See Section 131.0550]		applies		applies	applies	applies	applies	--
Transparency [See Section 131.0552]		--		applies	--	--	applies	--
Building articulation [See Section 131.0554]		applies		applies	applies	applies	applies	--
Street yard parking restriction [See Section 131.0555]		--		applies	--	--	--	--
Parking lot orientation [See Section 131.0556]		applies		--	applies	applies	applies	--

Footnotes For Table 131-05D

- ¹ One dwelling unit per specified minimum square footage of lot area as determined in accordance with Section 113.0222.
- ² See section 131.0543(a)(2).
- ³ See section 131.0543(b).
- ⁴ Within the Kearny Mesa Community Plan area, the maximum *floor area ratio* is 0.50 and the portion of the maximum allowed *gross floor area* that may be occupied by retail sales or eating and drinking establishments shall not exceed 70 percent.

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(c) CC Zones

Table 131-05E
Development Regulations of CC Zones

Development Regulation [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone Designator	Zones																	
	1st & 2nd » 3rd » 4th »	CC-																	
		1-	2-	4-	5-	1-	2-	4-	5-	1-	2-	4-	5-	3-	4-	5-	3-	4-	5-
		1				2				3				4			5		
Max permitted residential density ⁽¹⁾		1,500				1,500				1,500				1,500			1500		
Supplemental residential regulations [See Section 131.0540]		applies				applies				applies				applies			applies		
Lot area																			
Min Lot Area (sq. ft.)		5,000				5,000				5,000				2,500			2,500		
Max Lot Area (ac)		--				--				--				--			--		
Lot dimensions																			
Min Lot Width (ft)		50				50				100				25			25		
Min <i>street frontage</i> (ft)		50				50				100				25			25		
Min Lot Depth (ft)		100				100				--				--			--		
Max Lot Depth (ft)		150				150				--				--			--		
Setback requirements																			
Min Front <i>setback</i> (ft) Max Front <i>setback</i> (ft) [See Section 131.0543(a)(1)]		100 ^(2,3)				100 ^(2,3)				-- --				10 ⁽²⁾			10 ⁽²⁾		
Min Side <i>setback</i> (ft) Optional Side <i>setback</i> (ft) [See Section 131.0543(b)]		10 0				10 0				10 0				10 0			10 0		
Side <i>Setback</i> abutting residential [See Section 131.0543(c)]		applies				applies				applies				applies			applies		
Min <i>Street</i> Side <i>setback</i> (ft) Max <i>Street</i> Side <i>setback</i> (ft) [See Section 131.0543(a)(1)]		-- --				-- --				-- --				-- 10 ⁽²⁾			-- 10 ⁽²⁾		
Min Rear <i>setback</i> (ft) Optional Rear <i>setback</i> (ft) [See Section 131.0543(b)]		10 0				10 0				10 0				10 0			10 0		
Rear <i>Setback</i> abutting residential [See Section 131.0543(c)]		applies				applies				applies				applies			applies		
Max <i>structure height</i> (ft)		30				60				45				30			100		
Min <i>lot coverage</i> (%)		--				--				--				35			35		
Max <i>floor area ratio</i>		0.75 ⁽⁴⁾				2.0 ⁽⁴⁾				0.75 ⁽⁴⁾				1.0 ⁽⁴⁾			2.0 ⁽⁴⁾		
<i>Floor Area Ratio</i> bonus for mixed use/ Minimum percentage of bonus required for residential use [See Section 131.0546(a)]		0.75/75				--				0.75/75				0.5/50			2.0/50		
Pedestrian paths [See Section 131.0550]		applies				applies				applies				applies			applies		
Transparency [See Section 131.0552]		---				---				---				applies			applies		

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Development Regulation [See Section 131.0530 for Development Regulations of Commercial Zones]	Zone Designator	Zones														
	1st & 2nd »	CC-														
	3rd »	1-	2-	4-	5-	1-	2-	4-	5-	1-	2-	4-	5-	3-	4-	5-
	4th »	1			2			3			4			5		
Building articulation [See Section 131.0554]		applies			applies			applies			applies			applies		
Parking lot orientation [See Section 131.0556]		applies			applies			applies			-			-		

Footnotes for Table 131-05E

- 1 One dwelling unit per specified minimum square feet of lot area as determined in accordance with Section 113.0222.
- 2 See Section 131.0543(a)(2).
- 3 See Section 131.0543(a)(3).
- 4 Within the Kearny Mesa Community Plan area, the maximum *floor area ratio* is 0.50 and the portion of the maximum allowed *gross floor area* occupied by retail sales or eating and drinking establishments shall not exceed 70 percent.

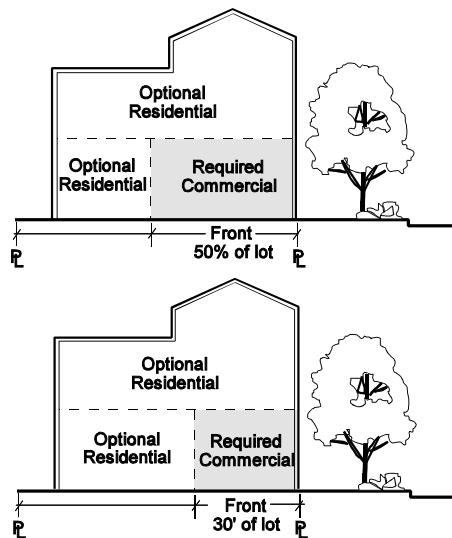
(Amended 6-12-2001 by O-18948 N.S.; effective 12-12-2001.)

§131.0540 Maximum Permitted Residential Density and Other Residential Regulations

The following regulations apply to all residential *development* within commercial zones:

- (a) Residential *Development* as a Permitted Use. Residential *development* is permitted in commercial zones only where it is identified in Table 131-05B.
- (b) Mixed-Use or Multi-Use Requirement. Residential *development* is permitted only when a commercial *structure* exists on the *premises* or is a part of the proposed *development*.
- (c) Ground *Floor* Restriction. Residential use and residential parking are prohibited on the ground *floor* in the front half of the *lot*, except in the CC-3-4, CC-3-5, CC-4-4, CC-4-5, CC-5-4, CC-5-5, and CV-1-2 zones, where these uses are prohibited on the ground *floor* in the front 30 feet of the *lot* as shown in Diagram 131-05A. Within the Coastal Overlay Zone, required parking cannot occupy more than 50% of the ground floor in the CV-1-1 or CV-1-2 zones.

Diagram 131-05A
Ground Floor Restriction



- (d) *Residential Development.* Where residential *development* is permitted, the development regulations of the RM-1-1, RM-2-5, and RM-3-7 zones as appropriate according to the maximum permitted residential *density* apply, except that the lot area, lot dimensions, *setback*, *floor area ratio*, and *structure height* requirements of the applicable commercial zone apply.
(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

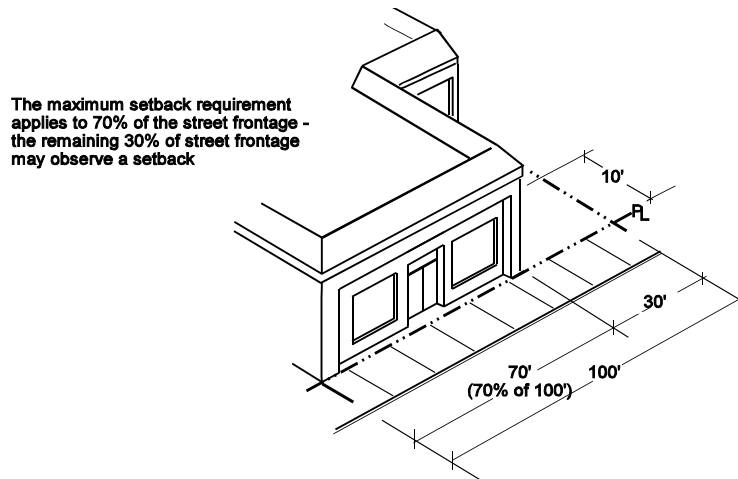
§131.0543 Setback Requirements for Commercial Zones

Setback requirements are specified in Tables 131-05C, 131-05D, and 131-05E and are subject to the following exceptions and additional regulations:

- (a) *Front and Street Side Setback Requirements*
- (1) Off-street parking in all commercial zones may be located within the required front *yard* and required street side yard adjoining the required landscaped strip abutting *public rights-of-way*.
 - (2) In the CN, CO, CV, and CC zones with a maximum front or *street side setback* as shown in Tables 131-05C, 131-05D, and 131-05E, the maximum *setback* shall apply to only 70 percent of the *street frontage*.

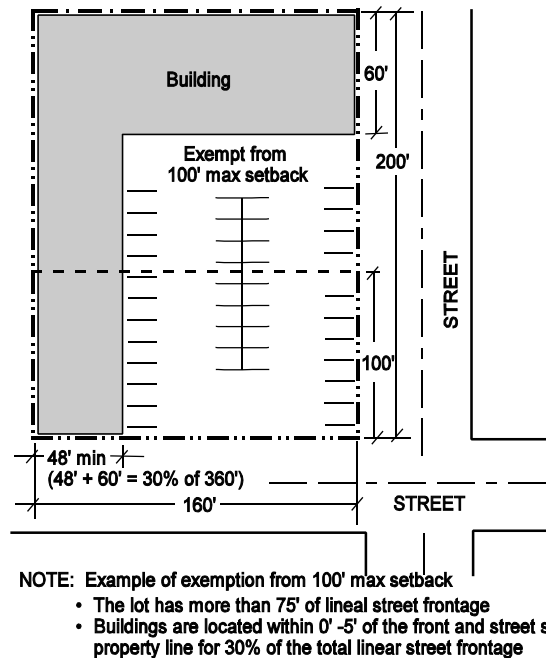
There is no maximum *setback* for the remaining 30 percent. See Diagram 131-05B.

Diagram 131-05B
Maximum Setback Requirement



- (3) In the CC-1-1, CC-1-2, CC-2-1, CC-2-2, CC-4-1, CC-4-2, CC-5-1, and CC-5-2 zones, the 100-foot maximum front *setback* does not apply to *lots* with more than 75 feet of *street frontage* if the proposed *development* is within 10 feet of the front or *street side property line* for at least 30 percent of the *street frontage*. See Diagram 131-05C.

Diagram 131-05C
Exception to Maximum Setback



(b) Minimum Side and Rear *Setback*

In zones that require a 10-foot minimum side or rear *setback* and provide the option for no side or rear *setbacks* as shown in Tables 131-05C, 131-05D, and 131-05E, the *structure* shall either be placed at the *property line* or shall be set back at least 10 feet.

(c) Commercial *Development* Abutting Residentially Zoned Properties

- (1) The minimum side *setback* for *structures* placed at the side *property line* is as follows. Any portion of the *structure* exceeding 15 feet in height shall be stepped back from the side *property line* 10 feet, or 10 percent of the lot width but not less than 5 feet, whichever is less. Each 15 feet in height above 30 feet shall be stepped back at least 3 feet from the minimum *setback* of that portion of the *structure* immediately below.

- (2) Minimum rear *setback* for *structures* placed at the rear *property line* is as follows. Any portion of the *structure* exceeding 15 feet in height shall be stepped back from the rear *property line* 10 feet, or 10 percent of the lot depth but not less than 5 feet, whichever is less. Each 15 feet in height above 30 feet shall be stepped back at least 3 feet from the minimum *setback* of that portion of the *structure* immediately below.
- (3) For side and rear *yards*, if the *structure* is set back 10 feet or more from the *property line*, each 15 feet in height above 30 feet shall be stepped back at least 3 feet from the minimum *setback* of that portion of the *structure* immediately below.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0546 Maximum Floor Area Ratio

Maximum *floor area ratio* is specified in Tables 131-05C, 131-05D, 131-05E and is subject to the following additional regulations:

- (a) *Floor Area Ratio* Bonus for Mixed Use

An *floor area ratio* bonus is provided in some commercial zones, as indicated in Tables 131-05C, 131-05D, and 131-05E, for residential uses that are developed as a part of a mixed-use project. A minimum percentage of the FAR bonus is shown in the tables, which must be applied toward the residential portion of the project. The remainder of the bonus may be used for either commercial or residential uses.

- (b) Child Care Facilities Bonus

In the CR-1-1, CR-2-1, and CO-1-2 zones, a bonus over the otherwise maximum allowable *gross floor area* is permitted at the rate of 4 square feet of additional *gross floor area* for each 1 square foot of *gross floor area* devoted to the *child care facility*. The area designated for the facility must be used for child care for a minimum of 10 years and must be in compliance with the requirements of Section 141.0606 (Child Care Facilities).

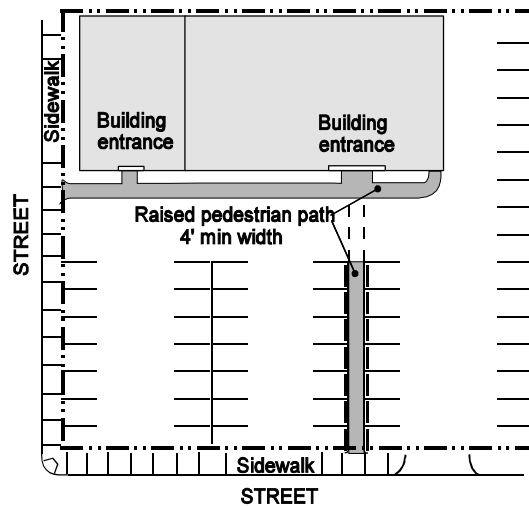
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0550 Pedestrian Paths

Where pedestrian paths are required in Tables 131-05C, 131-05D, or 131-05E, the number, location, and design of the paths shall be in accordance with the following.

- (a) Each commercial tenant space shall be accessible from an abutting public *street* by a pedestrian path that is at least 4 feet wide as shown on Diagram 131-05D. The path shall be continuous, clear of obstructions, easily identifiable as a pedestrian path, and visually distinguishable from other hardscaping. Pedestrian paths shall be separated from vehicular access areas by wheelstops, curbs, landscaping, or other physical barriers, except when crossing driveways or aisles.
- (b) At least one pedestrian path shall be provided for each property frontage on an improved public *street* when at some point along the frontage the difference in elevation between the sidewalk in the *public right-of-way* and the building or vehicle use area closest to the abutting *street frontage* is less than 4 feet, as shown in Diagram 131-05D. For a *premises* with more than three frontages, only three pedestrian paths are required.

**Diagram 131-05D
Pedestrian Paths**

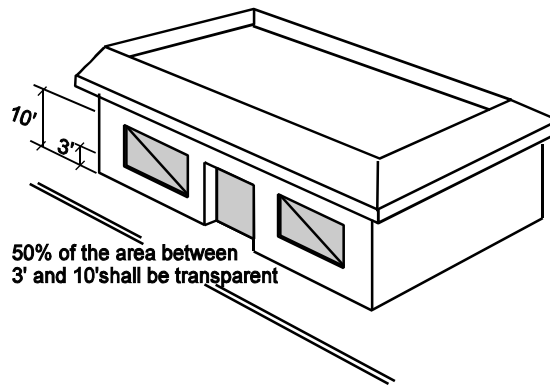


- (c) Building entrances located at the front or *street side property line*, where the building *setback* is zero, qualify as a required pedestrian path.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0552 Transparency

Where transparency is required by Tables 131-05C, 131-05D, or 131-05E, a minimum of 50 percent of *street wall* area between 3 and 10 feet above the sidewalk shall be transparent, with clear glass visible into a commercial or residential use. Windows or other transparent materials that provide visibility into a garage or similar area do not count toward the required transparency. See Diagram 131-05E.

**Diagram 131-05E
Transparency**



(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0554 Building Articulation

Where building articulation is required by Tables 131-05C, 131-05D, or 131-05E, the following regulations apply.

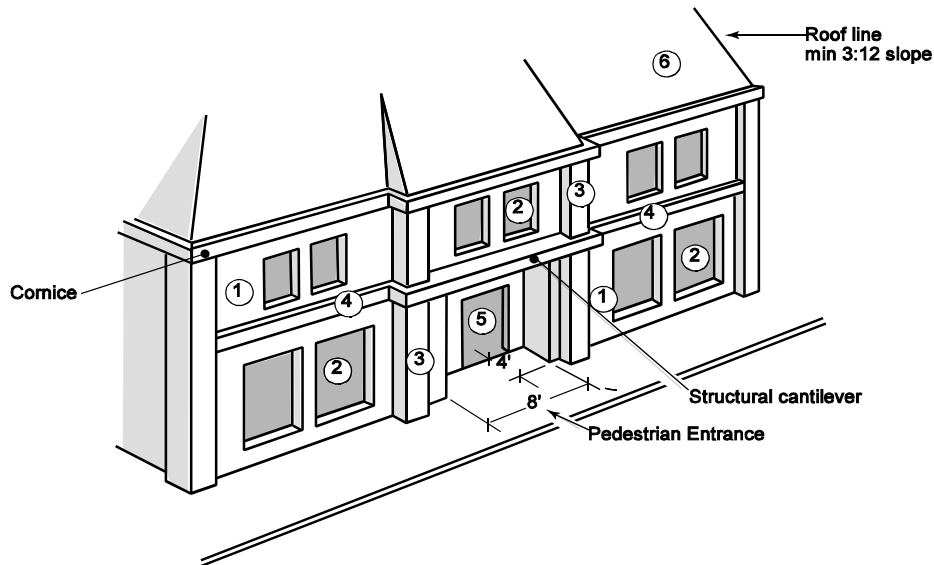
- (a) All building elevations fronting a *public right-of-way* shall be composed of offsetting planes that provide relief in the *building facade* by inseting or projecting surfaces (planes) of the building. The minimum number of offsetting planes and the minimum horizontal separation between planes is based on the length of the new *building facade*, as shown in Table 131-05F.

Table 131-05F
Offsetting Plane Requirements

Length of New <i>Building Facade</i>	Number of Offsetting Planes Required
25 ft or less	2 with a minimum separation of 3 inches
More than 25 ft. but less than or equal to 50 ft	4 planes consisting of : 2 with a minimum separation of 3 inches, and 2 with a minimum separation of 8 inches
More than 50 ft. but less than or equal to 100 ft	6 planes consisting of: 2 with a minimum separation of 3 inches, and 2 with a minimum separation of 8 inches, and 2 with a minimum separation of 3 feet
More than 100 ft	6 planes consisting of: 2 with a minimum separation of 3 inches, and 2 with a minimum separation of 8 inches, and 2 with a minimum separation of 3 feet, and plus 1 additional plane for each 50 feet of <i>building facade</i> length over 100 feet (maximum of 3 additional planes required with a minimum separation of 5 feet).

- (1) For purposes of this section, the area of a plane may include separate surfaces that are non-contiguous but which all lie in the same plane. Each numbered surface of the building shown in Diagram 131-05F represents a different plane of the building facade. The sum of the area of each plane labeled with the same number in Diagram 131-05F is the total area of that plane.

Diagram 131-05F
Building Articulation



- (2) For purposes of this section, an offset is the distance between two different planes of a *building facade* measured perpendicularly to the plane surface (for example, the dimension between plane 1 and 2 in Diagram 131-05F).
- (b) Where a 3-inch or 8-inch offset between planes is required, the total area of any single offsetting plane shall be more than 5 percent and less than 50 percent of the total *building facade* area on that frontage.
- (c) Where a 3-foot or 5-foot offset between planes is required, the total area of any single offsetting plane shall be more than 10 percent and less than 50 percent of the total *building facade* area on that frontage.
- (d) The following elements of a *building facade* may be used to satisfy any one required building plane:
- (1) Roofs with a minimum pitch from eave to peak of 3:12 (3 vertical feet to 12 horizontal feet) and a minimum area of 10 percent of the building elevation fronting on a *public right-of-way*;

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- (2) Pedestrian entrances with a minimum offset dimension of 4 feet from the primary plane of the *building facade* and a minimum width of 8 feet;
- (3) A cornice equal to at least 70 percent of the length of the *building facade* that has a minimum offset of 1 foot, located along the *street wall*; and
- (4) Structural cantilevers with combined lengths totaling at least 30 percent of the length of the *building facade*, with an average offset of at least 2 feet, located along the *street wall*. *Roof eaves* do not count as offsetting planes.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0555 Parking Restriction

In the CO-1-1 zone, parking is not permitted in the required front and street side yard.

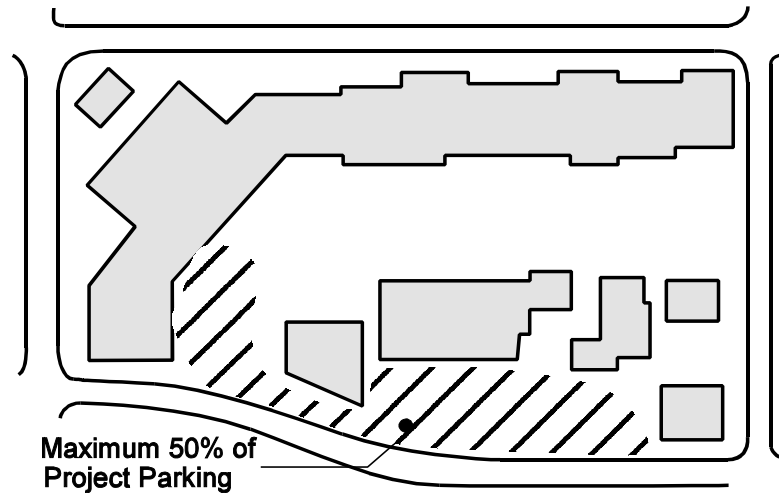
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0556 Parking Lot Orientation

In all zones where the parking lot orientation regulation applies, as indicated in Table 131-05D or 131-05E, proposed *development* with over 100,000 square feet of *gross floor area* and more than one *street frontage* shall locate no more than 50 percent of the *vehicular use area* between the longest *street frontage* providing public access to the *premises* and a building or buildings.

Diagram 131-05G
Parking Lot Orientation Restriction

Parking Lot Orientation Restriction



(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)